



# Martin County

Administrative Center  
2401 SE Monterey Road  
Stuart, FL 34996

## Meeting Minutes

### Board of Zoning Adjustment

**Travis Waddell, Chair**  
**Rodney Sturm**  
**Cabell McVeigh**  
**Michael Dooley**  
**John Honan**  
**Scott Rodriguez, Vice Chair**  
**Mac Ross**

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**Thursday, May 27, 2021**

**7:00 PM**

**Commission Chambers**

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#### **CALL TO ORDER**

Mr. Waddell, Chairman called the meeting to order at 7:01 pm. A quorum was present.

#### **ROLL CALL**

Present:       Rodney Sturm  
                  Michael Dooley  
                  Mac Ross  
                  Travis Waddell  
                  John Honan

Not present: Cabell McVeigh and Scott Rodriguez, Vice Chair

#### **Staff Present:**

Senior Assistant County Attorney .....Krista A. Storey  
Principal Planner .....Peter Walden  
Agency Recorder/Notary .....Denise Johnston

#### **MINU APPROVAL OF MINUTES**

##### **MINU-1 APRIL 22, 2021**

The Board is being asked to approve the minutes from the April 22, 2021 meeting.

Agenda Item: 21-0710

**MOTION:** Mr. Dooley voted to approve the minutes of the Board of Zoning Adjustment Meeting of April 22, 2021; **SECONDED** by Mr. Honan. The motion **CARRIED 5-0.**

**QJP QUASI-JUDICIAL PROCEDURES**

Quasi-Judicial procedures apply when a request involves the application of a policy to a specific application and site. It is a quasi-judicial decision. Quasi-judicial proceedings must be conducted with more formality than a legislative proceeding. In quasi-judicial proceedings, parties are entitled as a matter of due process to cross examine witnesses, present evidence, demand that the witnesses testify under oath, and demand a decision that is based on a correct application of the law and competent substantial evidence in the record.

Agenda Item: 21-0711

**NEW BUSINESS**

**NPH-1 EUCALITTO, FRANCIS C. AND GRETCHEN M. VARIANCE REQUEST**

Request for a variance by Francis C. and Gretchen M. Eucalitto to exceed the maximum building coverage requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code, for R-1A, Single Family Residential District to permit the construction of an addition to the existing residence. The subject property is located at 9473 SE Cove Point Street, Tequesta, Florida.

Presented by: Peter Walden, AICP, Principal Planner, Growth Management Department  
Agent for Applicant: Tyson Waters, Esq. Fox McCluskey Bush Robinson, PLLC  
Agenda Item: 21-0721

**\* For the Record:**

**BOARD MEMBERS:** There were no ex parte communication disclosures. No interveners were present.

**COUNTY:** Mr. Walden, Principal Planner requested that this item be continued to the July 22, 2021 meeting because of a discrepancy in the Code.

**MOTION:** Mr. Honan made a motion per Staff's request to continue item to the July 22, 2021 Meeting. **SECONDED** by Mr. Dooley. The Motion **CARRIED** Unanimously 5-0.

**NPH-2 ASHLEY, BRETT AND JULIET VARIANCE REQUEST**

Request for a variance by Brett and Juliet Ashley to reduce the front setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code, for the E-1, Estates and Suburban Homes District to permit additions to the existing one-story, single-family residence. The subject property is located at 649 SW Bittern Street, Hobe Palm City, Florida.

Presented by: Peter Walden, AICP, Principal Planner, Growth Management Department  
Applicant: Brett and Juliet Ashley  
Agenda Item: 21-0712

**\* For the Record:**

BOARD MEMBERS: There were no ex parte communication disclosures. No interveners were present.

COUNTY: All staff and individuals speaking on this matter were sworn in.

COUNTY: Mr. Walden, Principal Planner submitted a copy of the full agenda item, Staff report and his work history/resume as NPH-2 Exhibit -1 and provided the staff's presentation of NPH-2.

APPLICANT: Mr. Ashley, noted that the required mailing notices of surrounding homeowners notified, and the legal ad fee will be provided to staff prior to the resolution being signed.

STAFF: Mr. Walden advised the Board that the application for a setback variance is in order and qualifies for an action of approval for a variance of 5 ft. to reduce the front yard setback requirement from 40 ft. to 35 ft. from the property line to permit the proposed additions to the single family home.

PUBLIC: No comments.

**MOTION:** Mr. Honan MOVED to approve staff's recommendation with the condition that the legal ad fees be paid and property notifications be submitted to staff prior to signing the resolution for a front yard setback of 5 ft. to reduce the front yard setback requirement from 40 ft. to 35 ft. from the property line to permit the proposed additions to the single family home. With the condition that the site plan, be tied to the resolution. Special conditions exist which are peculiar to the subject property. The applicant would be deprived of rights commonly enjoyed by others in the same zoning district. The special conditions and circumstances are not a result of the applicant's action. The granting of the variance requested will not confer on the applicant a special privilege that is denied to owners of other lands in the same district. It will not create a negative impact to the health, safety, and welfare of the surrounding neighborhood and is the minimum variance that is required to permit the proposed single-family home additions.

SECONDED by Mr. Strum. The Motion CARRIED Unanimously 5-0.

**COMMENTS**

1. PUBLIC – None
2. MEMBERS – There was no further business.
3. STAFF – Mr. Walden noted that there will be a no June BOZA meeting.

**ADJOURN**

The Board of Zoning Adjustment meeting of May 27, 2021 adjourned at 7:18 pm.

Respectfully Submitted:

Approved by:

\_\_\_\_\_  
Denise Johnston, Agency Recorder/Notary

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Travis Waddell, Chairman

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Date Signed:

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